

Jeremy C. Lieb (WSB #47219)
Erik Grafe (AK Bar #0804010) (*pro hac vice*)
EARTHJUSTICE
441 W 5th Avenue, Suite 301
Anchorage, AK 99501
T: 907.277.2500
F: 907.277.1390
E: jlieb@earthjustice.org
egrafe@earthjustice.org

Kristen L. Boyles (WSB #23806)
EARTHJUSTICE
705 Second Avenue, Suite 203
Seattle, WA 98104
T: 206.343.7340
F: 206.343.1526
E: kboyles@earthjustice.org

*Attorneys for Citizens for Clean Air, a project of
Alaska Community Action on Toxics, and Sierra Club*

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITIZENS FOR CLEAN AIR, a project of
ALASKA COMMUNITY ACTION ON TOXICS,
and SIERRA CLUB,

Plaintiffs,

v.

ANDREW WHEELER, in his official capacity as
Administrator of the United States Environmental
Protection Agency, and CHRIS HLADICK, in his
official capacity as Regional Administrator of the
United States Environmental Protection Agency
Region 10,

Defendants.

STATE OF ALASKA

Defendant-Intervenor.

) Case No. 2:18-cv-01803-TSZ

)
) STATUS REPORT, JOINT
) STIPULATED MOTION AND
) ORDER TO HOLD BRIEFING
) SCHEDULE IN ABEYANCE

STATUS REPORT, JOINT STIP. MOT. AND ORDER
(Case No. 2:18-cv-01803)

Earthjustice
705 Second Avenue, Suite 203
Seattle, WA 98104
206.434.7340

1 The parties make this filing pursuant to the Court's July 16, 2019, order. Dkt. 28 at 5.
2 Plaintiffs, EPA, and the State of Alaska are engaging in discussions to resolve Plaintiffs' challenge
3 through settlement. The parties intend to file a proposed settlement soon. To allow the settlement
4 conversations to continue, the parties jointly request that the briefing schedule entered by the
5 Court's July 16, 2019, order, Dkt. 28 at 5, be amended as follows:

6 Plaintiffs' Motion for Summary Judgment – August 30, 2019 (noted on the court's motion
7 calendar for October 18, 2019)

8 Defendants' Response and Cross Motion for Summary Judgment – September 20, 2019

9 Plaintiffs' Reply/Response – October 4, 2019

10 Defendants' Reply/Response – October 18, 2019

11 This extension is needed to allow for the parties to finalize a potential settlement agreement.

12 Presented this 2nd day of August, by:

13 s/ Jeremy C. Lieb

Jeremy C. Lieb (WSB #47219)
14 Erik Grafe (AK Bar #0804010) (*pro hac vice*)
EARTHJUSTICE
15 441 W 5th Avenue, Suite 301
Anchorage, AK 99501
16 T: 907.277.2500
F: 907.277.1390
17 E: jlieb@earthjustice.org
egrafe@earthjustice.org

18 s/ Kristen L. Boyles

Kristen L. Boyles (WSB #23806)
19 EARTHJUSTICE
20 705 Second Avenue, Suite 203
Seattle, WA 98104
21 T: 206.343.7340
F: 206.343.1526
22 E: kboyles@earthjustice.org

23 *Attorneys for Citizens for Clean Air, a project of Alaska Community*
24 *Action on Toxics, and Sierra Club*

1 s/ Sheila Baynes

2 Sheila Baynes (MT Bar #37722843)
3 U.S. Department of Justice
4 Environmental & Natural Resources Division
5 Environmental Defense Section
6 P.O. Box 7611
7 Washington, DC 20044
8 T: 202.514.2617
9 F: 202.514.8865
10 E: sheila.baynes@usdoj.gov

11 *Counsel for Defendants*

12 s/ Emma Pokon

13 Emma Pokon (Alaska Bar No. 1011112)
14 ALASKA DEPARTMENT OF LAW,
15 Office of the Attorney General
16 1031 W. 4th Avenue, Suite 200
17 Anchorage, AK 99501
18 Tel: (907) 269-5100
19 Email: emma.pokon@alaska.gov

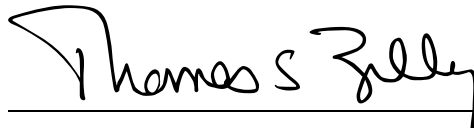
20 s/ Anthony J. Gaspich

21 Anthony J. Gaspich, WSBA No. 19300
22 GASPICH LAW OFFICE PLLC
23 1000 Second Avenue, Suite 3330
24 Seattle, WA 98104
25 Tele (206) 956-4204
26 Email: tony@gaspichwilliams.com

*Attorneys for Defendant-Intervenor
State of Alaska*

It is so ordered.

Dated this 7th day of August, 2019.



Thomas S. Zilly
United States District Judge